

# TULARE COUNTY OFFICE OF EDUCATION

## Administrative Regulation

Community Relations

AR 1445

Response To Immigration Enforcement

### Response To Immigration Enforcement

#### Responding to Requests for Information or Documents

Upon receiving any request by an officer or employee of an agency conducting immigration enforcement for information about a student, a student's family or household, or a Tulare County Office of Education (TCOE) employee as described in the accompanying Tulare County Board of Education policy, the request shall be denied, to the extent practicable, unless any of the following apply: (Education Code 234.7; 34 CFR 99.30, 34 CFR 99.31)

1. The request is for student directory information

The response to the request shall be in accordance with County Board Policy/Administrative Regulation 5125.1 - Release of Directory Information.

2. The records or information are required to be released by state or federal law, in order to administer a state or federally supported educational program, or due to a valid judicial subpoena, judicial warrant, or court order
3. For records or information about a student or a student's family or household, the parent/guardian has provided written consent unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency or, if the student is at least 18 years of age, the student has provided written consent

Such written consent shall include all of the following: (34 CFR 99.30)

- a. The signature and signature date of the parent/guardian, or student if the student is at least 18 years of age
- b. A description of the records to be disclosed
- c. The reason for the release of information
- d. The parties or class of parties receiving the information
- e. A copy of the records to be released, if requested by the parent/guardian or student

4. For records or information about a TCOE employee, the employee has provided written consent and the human resource department or equivalent has been consulted

Such written consent shall include all of the following:

- a. The signature and signature date of the employee
- b. A description of the records to be disclosed
- c. The reason for the release of information
- d. The parties or class of parties receiving the information
- e. A copy of the records to be released, if requested by the employee

Regardless of whether the requested records or information are disclosed, all of the following shall occur when such a request has been received:

1. Make a copy of the request and notify the County Superintendent of Schools or designee
2. For requests regarding student information, provide the student's parent/guardian, or the student, if the student is at least 18 years of age, with notice, a description of the request, and any documentation describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency

**Responding to Requests for Access to Students or for Access to TCOE-Provided Transportation, Nonpublic Area of TCOE Property or Facility, or Nonpublic Area in which TCOE-Sponsored Activity is Occurring**

If an officer or employee of an agency conducting immigration enforcement requests access to a student, such as for purposes of interviewing, searching, or detaining the student, or permission to enter a school bus, any other transportation provided by TCOE, a nonpublic area of any TCOE property or facility, or a nonpublic area where any TCOE-sponsored program or activity is occurring, the following actions shall be taken:

1. Advise the officer or employee that no response to the request is permitted until first receiving notification and direction from the County Superintendent, principal or other site administrator, or designee
2. Request to see and record or otherwise document the officer's or employee's valid identification, including the officer's or employee's name and, if applicable, badge number, the phone number of the officer's or employee's supervisor
3. Request that the officer or employee produce any documentation that authorizes the officer's or employee's request, make copies of all such documentation, and retain at least one copy for TCOE records

4. Contact and consult with legal counsel or County Superintendent or designee
5. Follow the direction from legal counsel or County Superintendent or designee

For a request to access a student, the request shall be denied unless any of the following apply: (Education Code 234.7)

1. The officer or employee provides a valid judicial warrant or court order
2. The student's parent/guardian consent or, if the student is at least 18 years of age, the student's consent, unless the officer or employee presents a valid judicial warrant or court order that authorizes and directs TCOE to give such permission without parent/guardian consent or, if the student is at least 18 years of age, the student's consent

Regardless of whether the officer or employee is given access to the student, the student's parent/guardian shall be immediately notified, unless prohibited by a valid judicial warrant or court order, or in cases involving investigations of child abuse, neglect, or dependency. (Education Code 48906)

Additionally, the County Superintendent or designee shall be notified as early as possible of any request by an officer or employee of an agency conducting immigration enforcement for access to a student. (Education Code 234.7)

For a request for permission to enter a school bus, any other transportation provided by TCOE, a nonpublic area of any TCOE property or facility, or a nonpublic area where any TCOE-sponsored program or activity is occurring, the request shall be denied unless any of the following apply: (Education 234.7)

1. The officer or employee provides a valid judicial warrant or court order
2. Permission is required to be granted by state or federal law or in order to administer a state or federally supported educational program
3. The officer or employee is a sworn law enforcement officer, declares that exigent circumstances exist, and demands immediate access

In this situation, the officer's or employee's orders shall be complied with and then the County Superintendent or designee shall be immediately contacted, and then legal counsel shall be contacted.

An officer or employee of an agency conducting immigration enforcement who, pursuant to this administrative regulation, is granted permission to enter TCOE property or facilities which are not open to all visitors shall first register in, except in cases where the officer or employee is a sworn law enforcement officer and states that exigent circumstances exist. (Penal Code 627.2, 627.3)

### **Responding to Immigration Enforcement Activity on TCOE Property**

When any officer or employee of an agency conducting immigration enforcement is actually or imminently present on TCOE property, staff working at the property shall be notified and, if TCOE property is a school, the parents/guardians of students at the school.

The presence of any officer or employee of an agency conducting immigration enforcement on TCOE property shall be reported to appropriate administrators.

However, an officer or employee of an agency conducting immigration enforcement who nonetheless enters TCOE-provided transportation, a nonpublic area of any TCOE property or facility, or a nonpublic area where any TCOE-sponsored program or activity is occurring shall not be obstructed, interfered with, or otherwise impeded.

After all officers and employees of an agency conducting immigration enforcement leave, legal counsel or other designated TCOE official shall be provided with relevant information related to observations and interactions.

### **Responding to the Detention or Deportation of Student's Parent/Guardian**

Parents/guardians are encouraged to update their emergency contact information as needed at any time. Parents/guardians shall be notified that TCOE will only use information provided on the emergency cards in response to specific emergency situations and not for any other purpose. (Education Code 234.7)

Additionally, all students and families are encouraged to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a student's parent/guardian is detained or deported.

In the event that a student's parent/guardian is detained or deported, the student shall be released to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. Child protective services shall only be contacted if TCOE personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit. (Education Code 234.7)

A student or the student's family members may be referred to other resources for assistance, including, but not limited to, an U.S. Immigrant and Customs Enforcement detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

#### *Legal Reference:*

##### CIVIL CODE

1798.3 – Information Practices Act of 1977; definitions

##### EDUCATION CODE

200 – Equal rights and opportunities in state educational institutions

220 – Prohibition of discrimination

234.1 – Student protections relating to discrimination, harassment, intimidation, and bullying

234.7 – Student protections relating to immigration and citizenship status

32282 – Comprehensive school safety plans

48204.4 – Evidence of residency for school enrollment

48906 – Exception to parent/guardian notifications

48980 – Parent/Guardian notifications

48985 – Notices to parents in language other than English

FAMILY CODE

6552 – Caregiver's authorization affidavit

GOVERNMENT CODE

7285-7285.3 – Prohibitions on Employer Cooperation with Immigration Enforcement Agents

8310.3 – California Religious Freedom Act

PENAL CODE

422.55 – Definition of hate crime

627-627.10 – Access to school premises

UNITED STATES CODE, TITLE 20

1232g – Family Educational Rights and Privacy Act (FERPA) of 1974

COURT DECISION

*Plyler v. Doe* (1982) 457 U.S. 202

*Management Resources:*

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATION

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist  
California's K-12 Schools in Responding to Immigration Issues, December 2025

WEB SITES

California Civil Rights Department (CRD): <https://calcivilrights.ca.gov/>

California Department of Education: <http://cde.ca.gov>

California Department of Education, Resources to Include Immigrant Families:

<https://www.cde.ca.gov/ls/pf/if/immigration-toolkit.asp>

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <https://www.ice.gov/>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <https://locator.ice.gov/odls/#/>

Regulation approved: 2/17/26



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